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March 24, 2017

Via electronic mail

Honorable Valerie E. Caproni
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Joseph Percoco, et al.*, No. 16-CR-776 (VEC) (S.D.N.Y.)

Dear Judge Caproni:

We are counsel for Defendant Louis Ciminelli. This supplemental letter is jointly submitted on behalf of Mr. Ciminelli, Defendant Michael Laipple, and Defendant Kevin Schuler (the "Buffalo Defendants"), in support of their letter motion (filed today at Docket #132) to excuse their personal appearance for the status conference on April 6, 2017.

The additional information supporting the request for waiver of appearance relates to [REDACTED]

[REDACTED] As the Court recalls, [REDACTED]
[REDACTED]
[REDACTED]
Exhibit A to the Sealed Declaration of Daniel C. Oliverio, dated February 6, 2017 (filed under seal). [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

In the last week of March (the week before the scheduled court appearance), Mr. Ciminelli must travel from Scottsdale/Phoenix to Buffalo to attend to a personal business matter. He will also be visiting his family in Buffalo. And, he has [REDACTED]

[REDACTED] Mr.
Ciminelli must then return to Scottsdale [REDACTED]
[REDACTED] If he is required to appear in New York

City on April 6, 2017, he will have to, shortly after [REDACTED], commence another cross-country trip to New York for the status conference.

Given this combination of circumstances, and the [REDACTED]
[REDACTED] we respectfully request that the Court accept Mr. Ciminelli's waiver of appearance.

We request that the unredacted version of this supplemental letter be filed under seal. In the electronic mail message to Chambers transmitting this document, we have included proposed redactions for the Court's review and approval before the redacted letter is publicly filed.

If you have any questions, please contact me at (716) 848-1433.

Respectfully yours,

s/Daniel C. Oliverio
Daniel C. Oliverio

DCO/dcb

cc: Janis Echenberg, Esq. (via electronic mail)
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